

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JILL CELLI,

Plaintiff,

v.

NORTHEASTERN EDUCATIONAL :
INTERMEDIATE UNIT 19, :
FRED R. ROSETTI, Ed.D., :
CLARENCE LEMANNA, Ed.D., :
SUSAN WZOREK, JAMES O'HORA, :
KATHLEEN RACHOWSKI, :
THE SCHOOL DISTRICT OF :
ABINGTON HEIGHTS, DAVID :
ARNOLD, Ed.D., MARIELLEN :
SLUKO, MARY ALICE BARTZ :
and BARBARA URNOSKIE, :

Defendants.

No. 3:04-CV-02262

JURY TRIAL DEMANDED

(Judge Caputo)

(ELECTRONICALLY FILED)

**APPENDIX OF EXHIBITS IN SUPPORT OF PLAINTIFF'S
MOTION FOR COUNSEL FEES AND LITIGATION COSTS**

Joseph T. Wright, Jr.
Pa. I.D. No. 32690
Kevin C. Quinn
Pa. I.D. No. 53625
WRIGHT & REIHNER, P.C.
148 Adams Avenue
Scranton, Pennsylvania 18503
(570) 961-1166

Attorney for Plaintiff

DATED: December 9, 2005

Exhibit 1	Defendants' Joint Offer of Judgment
Exhibit 2	November 18, 2005 letter accepting the Offer of Judgment
Exhibit 3	Plaintiff's counsel's time records
Exhibit 4	Declaration of Joseph G. Ferguson, Esq.
Exhibit 5	Declaration of Joseph P. Lenahan, Esq.

Respectfully submitted:

/s/ Kevin C. Quinn

Joseph T. Wright, Jr.

Pa. I.D. No. 32690

Kevin C. Quinn

Pa. I.D. No. 53625

Frank J. Tunis, Jr.

Pa. I.D. No. 84264

WRIGHT & REIHNER, P.C.

148 Adams Avenue

Scranton, Pennsylvania 18503

(570) 961-1166

Attorney for Plaintiff

DATED: December 9, 2005

CERTIFICATE OF SERVICE

I, KEVIN C. QUINN, hereby certify that I have caused to be served on this day, a true and correct copy of the foregoing Appendix of Exhibits upon counsel of record via electronic filing as follows:

Robin B. Snyder, Esquire
Marshall, Dennehey, Warner, Coleman & Goggin
401 Adams Avenue - Suite 400
Scranton, PA 18510
rsnyder@mdwecg.com

John E. Freund, III, Esquire
King, Spry, Herman, Freund & Faul, LLC
One West Broad Street - Suite 700
Bethlehem, PA 18018
jef@kingspry.com

Richard Polachek, Esquire
Polachek & Associates, P.C.
22 East Union Street - Suite 400
Wilkes-Barre, PA 18701
polacheklaw@epix.net

/s/ Kevin C. Quinn
Kevin C. Quinn

DATED: December 9, 2005

EXHIBIT 1

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JILL CELL, : NO. 04-2262
Plaintiff, :
v. :
NORTHEASTERN EDUCATIONAL :
INTERMEDIATE UNIT #19, FRED R. ROSETTI, :
Ed.D., CLARENCE LAMANA, Ed.D., :
SUSAN WZOREK, JAMES O'HORA, :
CATHERINE RACHOWSKI, THE SCHOOL :
DISTRICT OF ABINGTON HEIGHTS, :
DAVID ARNOLD, Ed.D., MARIELLEN SLUKO, :
MARY ALICE BARTZ, AND BARBARA :
UNOSKI, :
Defendants. :

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBIN MEDEIROS, : NO. 04-2263
Plaintiff, :
v. :
NORTHEASTERN EDUCATIONAL :
INTERMEDIATE UNIT #19, FRED R. ROSETTI, :
Ed.D., CLARENCE LEMANNA, Ed.D., :
SUSAN WZOREK, JAMES O'HORA, :
KATHLEEN RACHOWSKI, THE SCHOOL :
DISTRICT OF ABINGTON HEIGHTS, :
DAVID ARNOLD, Ed.D., MARIELLEN SLUKO, :
MARY ALICE BARTZ, AND BARBARA :
UNOSKI, :
Defendants. :

OFFER OF JUDGMENT

TO: Counsel for both Plaintiffs
Kevin Quinn, Esquire
148 Adams Avenue
Scranton, PA 18503

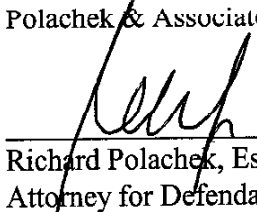
PLEASE TAKE NOTICE that Northeastern Educational Intermediate Unit #19, Fred R. Rosetti, Ed.D., Clarence Lemanna, Ed.D., Susan Wzorek, James O'Hora, Kathleen Rachowski, The School District of Abington Heights, David Arnold, Ed.D., Mariellen Sluko, Barbara Urnoski and Mary Alice Bartz in the above captioned action, hereby offers to allow judgment to be taken against all Defendants for the sum of:

1. \$50,000 to Jill Celli and reasonable attorney fees incurred as of the date of the judgment with contribution apportioned as follows:
\$ 22,500 by Defendants Northeastern Educational Intermediate Unit #19, Fred R. Rosetti, Clarence Lemanna, Ed.D., James O'Hora and Kathleen Rachowski;
\$ 22,500 by Defendants The School District of Abington Heights, David Arnold, Ed.D., Mariellen Sluko, Barbara Urnoski and Mary Alice Bartz;
\$ 5,000 by Susan Wzorek.
2. \$50,000 to Robin Medeiros and reasonable attorney fees incurred as of the date of the judgment with contribution apportioned as follows:
\$ 22,500 by Defendants Northeastern Educational Intermediate Unit #19, Fred R. Rosetti, Clarence Lemanna, Ed.D., James O'Hora and Kathleen Rachowski;
\$ 22,500 by Defendants The School District of Abington Heights, David Arnold, Ed.D., Mariellen Sluko, Barbara Urnoski and Mary Alice Bartz;
\$ 5,000 by Susan Wzorek.

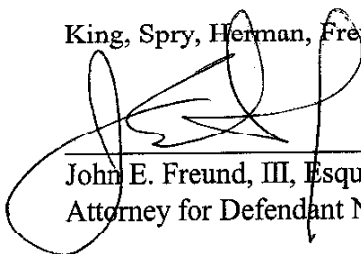
This offer is contingent upon the following conditions:

1. Both Plaintiffs agree to sign a Release and Settlement Agreement in the form attached hereto as Exhibit "A", the terms and conditions of which are incorporated herein and made a part herein by reference.
2. Both Plaintiffs, Jill Celli and Robin Medeiros, must accept this offer to make it valid.
3. In the event Plaintiffs breach any of the terms and conditions of the Offer of Judgment and/or the Release and Settlement Agreement attached hereto and made a part herein by reference, Defendants shall be entitled to liquidated damages against Plaintiff in the full amount of the Judgment paid herein by Defendants to Plaintiffs.
4. This offer is made pursuant to Rule 68 of the Federal Rules of Civil Procedure. Evidence of this offer is not admissible in this case except in a proceeding to determine costs. If this offer is not accepted in writing within ten(10) days after it is served, it shall be deemed withdrawn.

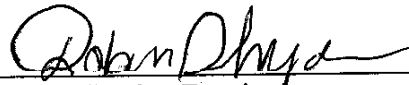
Polachek & Associates, P.C.


Richard Polachek, Esquire
Attorney for Defendant Susan Wzorek

King, Spry, Herman, Freund & Faul, LLC


John E. Freund, III, Esquire
Attorney for Defendant NEI19

Marshall Dennehey Warner Coleman & Goggin


Robin B. Snyder, Esquire
Attorney for Defendant The School District of
Abington Heights

DATE: 11/4/05

F:\Users\Tami\MyFiles\forms\OFFEROFJUDGMENT-CELLI.wpd

SETTLEMENT AGREEMENT AND GENERAL RELEASE

IT IS HEREBY AGREED AS FOLLOWS:

JILL CELLI AND ROBIN MEDIEROS , for and in consideration of payments and benefits described more fully herein, and other good and valuable consideration does, hereby remise, release, and forever discharge the NORTHEASTERN EDUCATIONAL INTERMEDIATE UNIT #19, FRED R. ROSETTI, Ed.D., CLARENCE LAMANNA, Ed.D., SUSAN WZOREK, JAMES O'HORA, CATHERINE RACHOWSKI, THE SCHOOL DISTRICT OF ABINGTON HEIGHTS, DAVID ARNOLD, Ed.D., MARIELLEN SLUKO, MARY ALICE BARTZ, AND BARBARA UNOSKI, AND SCHOOL CLAIMS SERVICE, LLC and PSBA INSURANCE TRUST SCHOOL LEADERS' LEGAL LIABILITY RISK MANAGEMENT PROGRAM, as well as all Trustees, Administrators, Officers, and their past, present and future trustees, administrators, officers, insurers, attorneys, agents, servants, representatives, employees, subsidiaries, affiliates, predecessors and successors in interest, and assigns, and any and all other persons, firms corporations and entities, whether herein named or referred to or not, of and from all, and all manner of, actions, causes of action, suits, claims, debts, demands, dues, accounts, bonds, covenants, contracts, agreements, judgments, damages, delay damages, costs, expenses, loss of services, attorney fees, and any and all claims of whatever kind and nature whatsoever, arising out of or related to their employment, in law or in equity, especially pertaining to those claims and causes of action more specifically described in actions filed in the United States District Court for the Middle District of Pennsylvania, docketed to numbers 04-2262 and 04-2263, except such claims for reasonable attorneys' fees and costs as are described in the Offer of Judgment dated November 3, 2005, which **JILL**

CELLI AND ROBIN MEDIEROS, ever had, now has, or can, shall, or may have in the future or which their heirs, executors, administrators, successors, or assigns, or any of them, hereafter can, shall, or may have, for or by reason of any cause, matter, or thing whatsoever, from the beginning of the world to the date of these presents.

Defendants agree to pay the following amounts in settlement:

1. \$50,000 to Jill Celli and reasonable attorneys' fees with contribution apportioned as follows:

\$ 22,500 by Defendants Northeastern Educational Intermediate Unit #19, Fred R. Rosetti, Clarence Lemanna, Ed.D., James O'Hora and Kathleen Rachowski;

\$ 22,500 by Defendants The School District of Abington Heights, David Arnold, Ed.D., Mariellen Sluko, Barbara Unoski and Mary Alice Bartz;

\$ 5,000 by Susan Wzorek.

2. \$50,000 to Robin Medeiros and reasonable attorneys' fees with contribution apportioned as follows:

\$ 22,500 by Defendants Northeastern Educational Intermediate Unit #19, Fred R. Rosetti, Clarence Lemanna, Ed.D., James O'Hora and Kathleen Rachowski;

\$ 22,500 by Defendants The School District of Abington Heights, David Arnold, Ed.D., Mariellen Sluko, Barbara Unoski and Mary Alice Bartz;

\$ 5,000 by Susan Wzorek.

IT IS AGREED AND UNDERSTOOD that this is a full and final release of all claims of every nature and kind whatsoever and that it releases all claims for injuries, losses, and damages that are presently known or suspected and all claims for injuries, losses, and damages that are not presently known or suspected but which may later develop or be discovered.

IT IS AGREED AND UNDERSTOOD that the consideration paid in exchange for this release is not to be construed as an admission of liability on the part of the releasees herein, all liability being expressly denied, and that the said payment is made to effect a compromise of a disputed claim.

IT IS FURTHER AGREED AND UNDERSTOOD that the parties agree that nothing will be said by either party that will disparage either parties' professional or business reputation.

IT IS FURTHER AGREED AND UNDERSTOOD that this release contains the entire agreement between the parties hereto and that the terms of this release are contractual and not a mere recital.

WITNESS:

JILL CELLI

_____(SEAL)

WITNESS:

ROBIN MEDIEROS

_____(SEAL)

WITNESS:

DR. FRED ROSETTI, for NEIU#19

_____(SEAL)

WITNESS:

**DR. DAVID ARNOLD, for SCHOOL
DISTRICT OF ABINGTON HEIGHTS**

_____(SEAL)

COMMONWEALTH OF PENNSYLVANIA)
)SS:
COUNTY OF NORTHAMPTON)

On this, the _____ day of _____, 2005, before me a notary public, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that s/he executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

F:\Users\Tami\MyFiles\forms\RELEASE-CELLI-MEDIEROS.wpd

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of an Offer of Judgment to both Plaintiffs, Jill Celli and Robin Medieros has been served upon the following counsel of record on this day, November 3, 2005 by facsimile and first class mail:

Kevin C. Quinn, Esquire
Wright & Reihner, PC
148 Adams Avenue
Scranton, PA 18503

Robin B. Snyder, Esquire
Marshall, Dennehey, Warner, Coleman & Coggin
401 Adams Avenue, Suite 401
Scranton, PA 18510

Richard Polachek, Esquire
22 E. Union Street, Suite 600
Wilkes-Barre, PA 18701-2723

DATE: November 3, 2005

BY: 
John E. Freund, III, Esquire

EXHIBIT 2

WRIGHT & REIHNER^{PC}
ATTORNEYS AT LAW

November 18, 2005

VIA TELEFAX

Robin B. Snyder, Esquire
Marshall, Dennehey, Warner, Coleman & Goggin
401 Adams Avenue, Suite 400
Scranton, PA 18510

John E. Freund, III, Esquire
King, Spry, Herman, Freund & Faul, LLC
One West Broad Street
Suite 700
Bethlehem, PA 18018

Richard Polachek, Esquire
Polachek & Associates, P.C.
22 East Union Street
Suite 400
Wilkes-Barre, PA 18701

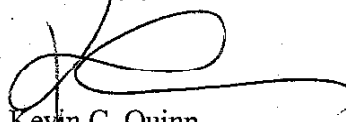
**Re: Jill Celli v. NEIU 19, et al., No. 3:04-CV-02262;
Robin L. Mederios v. NEIU 19, et al., No. 3:04-CV-02263**

Dear Counsel:

In light of the telefax I just received from John Freund, it is my understanding that the changes to the Settlement Agreement requested in Paragraphs 1 through 4 of my November 10, 2005 letter have been accepted by the Defendants. With the understanding that those changes will be incorporated in the final Settlement Agreement, this letter will confirm that our clients accept the Defendants' Offer of Judgment.

I would like to discuss with you sometime early next week the process by which the reasonableness of the attorneys fees award will be determined.

Very truly yours,



Kevin C. Quinn

KCQ:ab
Enclosure

cc: Joseph T. Wright, Jr., Esq.



148 ADAMS AVENUE • SCRANTON, PENNSYLVANIA 18503 • TEL: 570-961-1166 • FAX: 570-961-1199 • www.wrightreihner.com
Joseph T. Wright, Jr. • George A. Reihner • Geff Blake • Kevin C. Quinn • Danielle M. Mulcahey • David J. Gromelski • Frank J. Tuntis, Jr.

EXHIBIT 3

WRIGHT & REIHNER^{PC}

ATTORNEYS AT LAW

148 Adams Avenue
Scranton, PA 18503
Tax ID# 20-1278169
(570) 961-1166 - office
(570) 961-1199 - fax

December 08, 2005

Invoice submitted to:

Jill Celli
901 Lackawanna Avenue
Mayfield PA 18433
USA

Invoice # 11363

Professional Services

		<u>Hours</u>	<u>Amount</u>
8/18/2004	FJT Research legal issues regarding First Amendment Retaliation Claim. Discussion with Kevin Quinn regarding same.	2.00	300.00
8/20/2004	KQ Research whistleblower claims; phone conference with client; review articles; conference with Joe Wright and Frank Tunis.	1.30	260.00
8/23/2004	KQ Phone conferences with client; review newspaper articles; research regarding NEIU; conference with F. Tunis regarding possible claims to bring in Complaint.	1.30	260.00
8/24/2004	KQ Research regarding Whistleblower Claims; phone conference with client.	0.70	140.00
8/25/2004	FJT Research legal issues regarding filing of First Amendment retaliation claim; begin drafting Complaint; discussions with Kevin Quinn regarding same.	3.00	450.00
	KQ Conference with F. Tunis; work on Complaint; related research regarding Whistleblower Claims.	2.00	400.00
8/26/2004	FJT Continue drafting Complaint and researching legal issues; discussions with Kevin Quinn regarding same.	2.20	330.00

Jill Celli

Page 2

			<u>Hours</u>	<u>Amount</u>
8/26/2004	KQ	Conference with F. Tunis regarding status of research into First Amendment Claims; meet with client to review factual history for Complaint; work on Complaint.	1.70	340.00
8/27/2004	FJT	Continue drafting First Amendment portion of Complaint.	0.70	105.00
9/3/2004	FJT	Review Complaint	0.50	75.00
9/8/2004	FJT	Review and revise draft Complaint; discussion and meeting with K. Quinn re: same.	3.20	480.00
9/9/2004	FJT	Research issues re: First Amendment retaliation claims; review and revise Complaint; meeting with K. Quinn re: same.	3.20	480.00
9/14/2004	FJT	Continue working on issues related to Complaint; discussions with K. Quinn re: same.	0.70	105.00
9/17/2004	KQ	Meeting with client; revise draft Complaint; related research.	2.00	400.00
9/22/2004	KQ	Meeting with J. Celli; review with client factual revisions to Complaint; prepare related file notes.	1.50	300.00
9/27/2004	KQ	Review/revise Complaint	1.00	200.00
9/28/2004	FJT	Review and revise Complaint; meeting and discussion with K. Quinn re: same.	1.40	210.00
	KQ	Review/revise Complaint; related research and conference with G. Reihner and F. Tunis.	2.00	400.00
9/29/2004	GAR	Conference with K. Quinn regarding Complaint; review, revise and supplement same.	1.50	NO CHARGE
	KQ	Conference with G. Reihner re: Complaint; review G. Reihner's comments on draft Complaint.	0.50	100.00
10/11/2004	KQ	Work on draft Complaint, conferences with George Reihner, Joseph Wright and Frank Tunis.	1.00	200.00
10/12/2004	FJT	Research legal issues re: possible cause of action under Child Protective Services Law; discussion and meeting with K. Quinn re: same.	1.20	180.00
10/13/2004	FJT	Make final revision to Complaint; meeting and discussion with K. Quinn re: same; meeting with client to review Complaint.	1.40	210.00
	KQ	Meeting with client; revise Complaint; related conference with Frank Tunis.	1.50	300.00
10/14/2004	KQ	Review/revise/finalize/file Complaint; meet with client; conference with Frank Tunis.	2.50	500.00

Jill Celli

Page 3

		<u>Hours</u>	<u>Amount</u>
10/14/2004	FJT Attend Preliminary Hearing of Defendant Susan Wzorek; meeting with client re: same; meeting and discussion with K. Quinn re: same; research service issues; finalize Complaint for filing and service.	3.00	450.00
10/18/2004	KQ Review summons for court; work on obtaining addresses for service on defendants; phone conference with client.	0.50	100.00
10/20/2004	KQ Telephone conferences with client and District Attorney's office.	0.50	100.00
10/21/2004	KQ Review order from Judge Caputo; phone conference with client; check on status of service.	0.50	100.00
11/9/2004	KQ Telephone conference with Robin Synder; work out acceptance and service and responsive filing deadline issues; review related filing; forward to client.	0.40	80.00
11/12/2004	KQ Telephone conference with with R. Synder; review/file acceptance of service forms; review proof of service for NFII Defendants	0.70	140.00
11/15/2004	KQ Telephone conference with client re: current work environment; telephone conference with R. Snyder re: service issues.	0.40	80.00
11/17/2004	KQ Telephone conference with Robin Synder; phone conference with client re: case status/strategy.	0.30	60.00
11/18/2004	KQ Telephone conference with R. Synder; review Motion to Extend Time to Respond to Complaint; review Court filings.	0.20	40.00
12/1/2004	KQ Telephone conference with J. Freund's office regarding representation issues; draft letter to J. Freund; conference with A. Vitorio; phone conference with R. Polachek regarding representation of S. Wzorek; research regarding J.Freund's experience and reputation	1.00	200.00
12/9/2004	FJT Review Motion to Dismiss filed by Abington Defendants; meeting and discussion with K.Quinn regarding same.	0.80	120.00
12/13/2004	KQ Review motion to dismiss; related research and brief filed on behalf of Abington Heights Defendants; research regarding opposition Brief.	2.50	500.00
12/15/2004	KQ Review cases cited by Abington Defendants in Motion to Dismiss; follow up research and conference with F Tunis.	1.50	300.00
12/16/2004	FJT Meeting and discussion with K. Quinn regarding Motion to Dismiss filed by Abington Heights Defendants; review Motion to Dismiss and supporting Brief.	0.90	135.00
12/17/2004	FJT Begin researching issues related to Defendants' Motion to Dismiss.	2.00	300.00
12/20/2004	KQ Work on Brief in opposition to Abington Defendants' Motion to Dismiss Complaint; related research.	1.50	300.00

Jill Celli

Page 4

		<u>Hours</u>	<u>Amount</u>
12/21/2004	KQ	2.30	460.00
	FJT	1.10	165.00
12/22/2004	KQ	1.50	300.00
12/23/2004	KQ	2.20	440.00
12/27/2004	FJT	1.40	210.00
12/28/2004	KQ	1.50	300.00
	FJT	1.50	225.00
12/30/2004	FJT	1.00	150.00
1/3/2005	KQ	3.50	700.00
1/4/2005	KQ	3.30	660.00
	FJT	3.10	465.00
1/5/2005	KQ	2.80	560.00
	FJT	3.20	480.00
1/6/2005	KQ	3.00	600.00

Jill Celli

Page 5

		<u>Hours</u>	<u>Amount</u>
1/6/2005	FJT Continue drafting sections of brief in opposition to Abington Defendants' Motion to Dismiss; meeting and discussion with K.Quinn re:same.	3.00	450.00
1/7/2005	KQ Research re: intentional infliction of emotional damages under Pennsylvania and Third Circuit law; continue working on Brief in opposition to Abington Defendants' 12(B) (6) Motion; related research and conference with Frank Tunis	4.00	800.00
	FJT Continue drafting Brief in Opposition to Abington Defendants' Motion to Dismiss; conduct additional research re: same.	2.20	330.00
1/8/2005	KQ Continue drafting/revising Brief in opposition to Abington Defendants' 12(B) (6) Motion; related research and phone conference with F.Tunis.	3.00	600.00
1/10/2005	FJT Final drafting of Brief in Opposition to Motion to Dismiss; review and revise same; prepare same for filing and service.	2.90	435.00
	KQ Continue drafting/revising Brief in opposition to Abington Defendants' 12(B) (6) Motion; related research and discussions with Frank Tunis; draft/revise Motion to exceed 15 paged and proposed Order.	4.00	800.00
1/11/2005	KQ Review finalized Brief, draft status report to client; organize research materials.	1.50	300.00
1/13/2005	KQ Begin working on Rule 26 initial disclosures.	2.20	440.00
1/25/2005	KQ Review Abington Defendants' Reply Brief re: Motion to Dismiss Complaint; conference with F.Tunis; begin drafting Motion to strike portions of Reply Brief.	1.50	300.00
	FJT Review Abington Heights' Reply Brief in support of Motion to Dismiss; meeting and discussion with K.Quinn re: same.	0.60	90.00
1/26/2005	KQ Draft email to R. Snyder; work on Motion to strike portions of Abington Defendants' Reply Brief.	1.00	200.00
1/27/2005	KQ Review/revise/finalize Motion to strike portions of Abington Defendants' Reply Brief; draft report to clients; draft proposed Order.	1.50	300.00
	FJT Research issues related to Motion to strike portions of Abington Defendants' Reply Brief in support of Motion to Dismiss; meeting and discussions with K. Quinn re: same.	0.70	105.00
1/31/2005	KQ Begin drafting Brief in support of Motion to strike	1.00	200.00
2/7/2005	KQ Continue working on Brief in support of Motion to strike portions of Abington Defendants' Reply Brief; update research; revise/finalize Brief; draft related letter.	1.50	300.00
2/25/2005	FJT Review Brief in opposition to Motion to Strike.	0.10	15.00

Jill Celli

Page 6

		<u>Hours</u>	<u>Amount</u>
2/25/2005	KQ Review Abington Defendants' opposition Brief; followup discussion with F.Tunis.	0.40	80.00
3/2/2005	KQ Review case management order; phone conference with client re: same; email to F.Tunis re: draft case management plan and Rule 26 disclosures; draft letter to defense counsel; conference with F.Tunis.	1.50	300.00
3/3/2005	FJT Review case management order; email communication with K.Quinn re: same; research issues related to Rule 26 initial disclosures; continue drafting initial disclosures.	2.70	405.00
3/4/2005	KQ Review materials provided by client and draft Rule 26 Disclosures; draft file notes re: followup discovery items; conference with F.Tunis re: case management plan.	2.00	400.00
	FJT Finish drafting initial disclosures; forward same to K.Quinn for review and insert of additional responsive information.	1.00	150.00
3/7/2005	KQ Continue working on Rule 26 Initial Disclosures and joint case management plan; emails to/from R. Snyder re: consolidation.	1.50	300.00
	FJT Continue drafting case management plan.	1.40	210.00
3/8/2005	KQ Work on Rule 26 initial disclosures and joint case management plan; related conference with F.Tunis.	1.00	200.00
	FJT Continue drafting case management plan; meeting and discussion with K.Quinn re: same.	1.00	150.00
3/9/2005	KQ Telephone conference with Gene Talarico; conference with F.Tunis; revise Rule 26 disclosures.	0.50	100.00
	FJT Continue drafting case management plan; review multiple file documents in connection with same.	2.40	360.00
3/10/2005	KQ Meeting with G. Talarico and K. Granahan of district attorney's office re: status of Sue Wzorek's criminal proceedings and results of DA's investigation; work on joint case management plan and Rule 26 disclosures; phone conference with client; conferences with F.Tunis and J.Wright	2.70	540.00
	FJT Finish drafting case management plan; forward same to K.Quinn for review, revision, and additional inserts; meeting and discussion with K.Quinn re: status of DA's investigation and trial preparation.	1.70	255.00
3/11/2005	KQ Continue working on draft joint case management plan and Rule 26 disclosures; related conference with F.Tunis.	2.80	560.00
3/14/2005	FJT Begin drafting outline of claims/damages in preparation for case management conference and mediation. Research legal issues re: same. Review file documents in connection with same.	3.20	480.00

Jill Celli

Page 7

		Hours	Amount
3/14/2005	KQ Continue working on draft Joint case management plan and Rule 26 disclosures; finalize drafts and forward to defense counsel.	2.50	500.00
3/15/2005	KQ Meet with client re: case update/strategy and review of Rule 26 disclosure and draft Joint Case Management Plan; discuss with client general subject matter of testimony of all witnesses; draft notes re: supplementary Rule 26 Disclosures.	1.50	300.00
3/16/2005	FJT Continue drafting outline of claims/damages for case management conference and mediation; research additional legal issues re: same.	3.50	525.00
	KQ Prepare for and participate in conference call with defense counsel re: joint case management plan; review additions of R. Polachek to joint plan; incorporate same; draft plaintiff's supplemental Rule 26 disclosures; conference with F. Tunis re: research needed to prepare for case management conference; draft letter to counsel .	2.50	500.00
3/17/2005	KQ Receive/review supplements from Abington and NEIU defendants for incorporation into Joint Case management Plan ; make remaining revisions; multiple related follow-up emails to R. Snyder and J.Freund's paralegal re: Joint Case management plan; finalize same for filing; phone conference with client.	2.50	500.00
	FJT Continue drafting outline of claims/damages; review caselaw in connection with same.	2.20	330.00
3/18/2005	FJT Continue drafting outline of claims/damages.	1.50	225.00
	KQ Review email from T. Michilecky (John Freund's paralegal) re: supplements to Case Management Plan; forward to A. Vitorio.	0.10	20.00
3/21/2005	FJT Finalize outline of claims/damages in preparation for Case Management Conference and Mediation; forward same to J.Wright and K.Quinn for review.	2.00	300.00
3/22/2005	KQ Review Complaint; Motion to Dismiss of Abington Defendants' Briefs in support of and in opposition to Abington Defendant's Motion; prepare outline in case court entertains oral argument; review Frank Tunis's research memo re: elements and damages recoverable under each count of Complaint in preparation for case management conference; attend/participate in case management conference.	3.00	600.00
	FJT Meeting and discussion with K.Quinn re: case management conference; finish preparing documents for use at case management conference.	1.10	165.00
3/23/2005	KQ Review Order granting Plaintiff's Motion to Strike "new" arguments raised by Abington Defendants' in Reply Brief; conference with J.Wright re: strategy for discovery/mediation.	0.80	160.00
3/25/2005	KQ Begin working on settlement demand letter.	1.00	200.00

Jill Celli

Page 8

		<u>Hours</u>	<u>Amount</u>
3/29/2005 KQ	Review case law re: recovery of attorney's fees/ punitive charges to include in settlement demand letter; phone conference with client; review list of witnesses identified in Rule 26 Disclosures re: establishing pre-mediation deposition lineup; work on settlement demand letter; conference with J.Wright re: same.	2.00	400.00
3/30/2005 KQ	Meeting with client re: case review/strategy ; discuss lineup of depositions to take before mediation session.	1.80	360.00
3/31/2005 KQ	Work on settlement demand letter; related conferences with J.Wright and G. Reihner; prepare pre-mediation "to do" list.	1.50	300.00
4/1/2005 KQ	Review/revise/finalize demand letter; related conference with J.Wright; research/review recent First Amended settlements/verdicts.	1.50	300.00
4/4/2005 KQ	Review documents provided by clients; assemble materials to produce to defendants.	0.70	140.00
4/5/2005 KQ	Review recent decisions re: First Amendment Retaliation claims and recovery of punitive damages/attorney's fees in 1983 cases; conference with A. Vitorio re: information communicated by client re: continued discrimination; provide instructions as to how client needs to react.	1.00	200.00
4/6/2005 KQ	Continued review/redaction of discovery materials produced by client; draft letter to counsel forwarding Plaintiffs' discovery documents; draft letter to Dr.Jaditz re: request for medical records; review Defendants' Rule 26 Disclosures and make specific list of documents to be forwarded by 4/20/05; draft proposed pre-mediation discovery schedule.	3.00	600.00
4/8/2005 KQ	Conference with A. Vitorio re: deposition scheduling and conferences with clients; draft discovery "to do".	0.50	100.00
4/11/2005 KQ	Work on deposition outlines; conference with client.	2.00	400.00
4/12/2005 KQ	Continued deposition preparation; begin assembling materials for upcoming mediation.	2.50	500.00
4/13/2005 FJT	Meeting and discussion with K.Quinn re: case related issues.	0.30	45.00
4/14/2005 KQ	Begin preparing for upcoming depositions; related file review; prepare file notes.	2.00	400.00
4/15/2005 KQ	Review medical records provided by Dr. Jaditz; review discovery requests prepared by NCIU Defendants.	1.00	200.00
4/22/2005 KQ	Conference with A. Vitorio re: deposition scheduling; prepare notes for preparation of client for upcoming depositions.	1.50	300.00
4/26/2005 KQ	Review Defendants' discovery requests; draft letter to client; draft letter to opposing counsel re: demand for Rule 26 disclosure materials and discovery schedule; draft notices of depositions.	2.50	500.00

Jill Celli

Page 9

		<u>Hours</u>	<u>Amount</u>
5/2/2005	FJT Meeting with clients; attend jury selection of criminal trial for Defendant Wzorek.; meeting and discussion with K.Quinn re: same.	1.40	210.00
5/13/2005	KQ Continued working on discovery objections/responses; phone conference with client; review of file	1.80	360.00
5/16/2005	KQ Conference with A. Vitorio re: deposition scheduling; draft letter to R Wendelowski re: scheduling conference call for mediation/ discovery dates; phone conference with client.	1.50	300.00
5/18/2005	KQ Draft letter to counsel re: arbitration / discovery issues; revise letter; phone conference with client.	1.50	300.00
5/20/2005	KQ Draft letter to clients; review correspondence from J.Fruend re: mediation scheduling; phone conference with client.	0.50	100.00
5/23/2005	KQ Review Rule 26 Disclosures produced by Abington Defendants; review NEIU Notice of Proposed Settlement in IFP case	1.50	300.00
5/25/2005	KQ Draft/ revise Motion to extend deadlines for mediation and proposed Order; finalize and file same; meet with client to review/comment on documents produced by Abington and NEIU Defendants; prepare notes for follow up discovery/inquiries.	3.00	600.00
6/2/2005	KQ Work on Discovery Objections/responses; related review of materials provided by client.	2.50	500.00
6/3/2005	KQ Work on responses to NEIU Defendant's written discovery requests.	1.30	260.00
6/7/2005	KQ Review discovery requests provided by W. Zorek's counsel; draft letter to client.	0.80	160.00
6/8/2005	KQ Work on discovery responses.	1.50	300.00
6/9/2005	KQ Telephone conference with J.Celli re: Depositions; related emails.	0.30	60.00
6/10/2005	KQ Work on discovery responses.	1.00	200.00
6/13/2005	KQ Draft letter to counsel re: discovery; revise Notice of Deposition.	0.50	100.00
6/14/2005	KQ Telephone conference with R. Synder re: M.E. Sluko; draft email to Secretary re: instructions for scheduling Mediation and conference call; review letter from J.Fruend re: discovery.	0.50	100.00
6/15/2005	KQ Work on discovery responses; draft notes re: client's deposition preparation and Defendant's depositions.	1.50	300.00
6/16/2005	KQ Work on discovery responses; phone conference with client.	1.50	300.00
6/17/2005	KQ Prepare subpoena for Lackawanna County District Attorney's office; prepare Exhibit "A" for subpoena; revise same; prepare related correspondence to DA's office and opposing counsel.	1.00	200.00

Jill Celli

Page 10

		<u>Hours</u>	<u>Amount</u>
6/23/2005 KQ	Telephone conference with office re: conference call set up; participate in conference call with Mediator (Raymond Wendelowski); work on discovery responses; phone conference with office re: calendar deadlines and contact clients.	1.50	300.00
6/27/2005 KQ	Review materials produced by District Attorney's office; phone conference with client re: same; prepare file notes re: use of DA's materials during upcoming Depositions.	2.50	500.00
6/28/2005 KQ	Telephone conference with J.Celli re: case status, Dept of Education investigation and upcoming Depositions.	1.00	200.00
6/30/2005 KQ	Meet with clients; review D.A.'s materials and prepare for upcoming Depositions; review discovery responses; draft letter to counsel.	2.00	400.00
7/1/2005 KQ	Review/revise/finalize discovery responses; review/organize documents to produce to Defendants; draft letter to DA's office.	1.50	300.00
7/5/2005 KQ	Review supplemental materials produced by District Attorney's office; prepare file notes re: same.	0.50	100.00
7/11/2005 KQ	Meet with client to prepare for deposition on 7/12/05; meet with PA State Investigator Steven Tucker re: investigation into Sue Wzorek's professional license and related interview of client.	4.00	800.00
7/12/2005 KQ	Meet with client re: final deposition preparation; attend/defend client's deposition.	6.00	1,200.00
7/13/2005 KQ	Organize final materials; prepare notes for topics to cover during NEIU depositions; conference with J.Wright re: Plaintiff's deposition.	1.30	260.00
7/15/2005 KQ	Prepare outline for mediation statement to submit to R. Wendelowski; related conference with J.Wright re: strategy; review discovery materials produced by Abington and NEIU Defendants; prepare deposition outline for Dr. Rosetti; organize exhibits for Rosetti deposition.	3.00	600.00
7/18/2005 KQ	Draft/revise/finalize mediation statement to submit to R. Wendelowski; related conference with J.Wright; prepare outline for depositions of Dr. Lemanna, Michelle Homish and J.O'Hora; organize/review deposition exhibits.	4.50	900.00
7/19/2005 JTW	Prepare for and attend deposition.	3.50	875.00
FJT	Research legal issues re: exhaustion of administrative remedies in connection with collective bargaining agreement.	1.00	150.00
KQ	Prepare for and take depositions of Dr. Rosetti, Dr. Lemanna, M.Homish and J.O'Hora; post-deposition meeting with client; prepare for 7/20/05 mediation; related conference with F.Tunis re: research issue (exhaustion of remedies issue); review of research materials.	5.00	1,000.00

Jill Celli

Page 11

		<u>Hours</u>	<u>Amount</u>
7/20/2005	JTW Attend mediation session; related meeting with K.Quinn and client.	2.50	625.00
	KQ Meet with client and J.Wright; prepare for and participate in Mediation with R. Wendelowski; conference with J.Wright re: follow-up discovery; post Mediation meeting with client; begin drafting discovery requests.	3.50	700.00
7/25/2005	KQ Review Deposition transcripts; draft letter to client	1.50	300.00
8/1/2005	KQ Work on Interrogatories / Document requests to proposed on NEIU Defendants; work on memo to J.Wright re: depositions; conference with J.Wright.	2.00	400.00
8/2/2005	KQ Review discovery requests to propound on NEIU Defendants; draft discovery requests to propound on Wzorek and Abington Defendants; revise discovery memo to J.Wright.	2.00	400.00
8/17/2005	KQ Review Order denying (in part) Abington Defendants' Rule 12 (b) Motion to Dismiss; review correspondence from R. Synder and letter from Dr. Gentilezza re: M.Sluko.	0.50	100.00
	DMM Correspondence to all counsel re: Depositions.	0.20	NO CHARGE
8/18/2005	JTW Review correspondence and send to defense counsel re: scheduling of depositions.	0.40	100.00
	FJT Review memo and order by Judge Caputo denying in part and approving in part Abington Heights Defendant's Motion to Dismiss; meeting with K.Quinn and J.Wright re: same.	1.20	180.00
8/23/2005	FJT Meeting and discussion with J.Wright re: filing on Amended Complaint.	0.50	75.00
8/26/2005	JTW Prepare notice of depositions and correspondence to Defense counsel.	0.50	125.00
8/28/2005	JTW Telephone conference with Robin Snyder; research on Protective Order, rescheduling deposition; prepare for depositions.	3.50	875.00
9/8/2005	KQ Review NEIU Defendants' Answers to Plaintiffs' interrogatories and Request for Production of Documents; review documents produced by NEIU Defendants' attorney with privilege log; draft correspondence letter to J.Fruend outlining differences in NEIU Defendants' discovery responses; revise same; phone conference with client; draft letter to Abington Defendants' counsel.	2.50	500.00
9/13/2005	KQ Review J.Fruend's responses to 9/7/05 letter; conference with J.Wright; draft responses to J.Fruend; prepare file notes re: documents produced by NEIU; prepare file memo outlining current discovery disputes in preparation for planned conference call with Judge Caputo.	2.50	500.00
9/14/2005	KQ Review Abington Defendants' answers to Interrogatories and Request for Production of Documents; review documents produced by Abington Defendants; update file memo re: outlining discovery issues; conference with J.Wright re: upcoming depositions of Abington	3.00	600.00

Jill Celli

Page 12

		<u>Hours</u>	<u>Amount</u>
	Defendants; prepare additional notes for topics to cover with Abington Defendants; phone conference with client.		
9/15/2005 KQ	Review NEIU's supplemental document production including applicable policies and procedures; conference with J.Wright; draft letter to J.Fruend re: rescheduling of discovery conference call with Judge Caputo; draft subpoenas for Jeff Tucker, Esq. and his law firm; revise same; draft declarations to go with subpoenas and related cover letters.	3.00	600.00
9/16/2005 KQ	Work on file memo outlining discovery disputes; related conference with J.Wright; phone conference with L.Moran, co-counsel for parents/students; review supplemental document production; coordinate depositions / conference call with court; phone conference with R. Snyder.	1.70	340.00
9/21/2005 KQ	Work on Motion for Leave to File Amended Complaint.	1.50	300.00
9/22/2005 KQ	Continue working on Motion for Leave to Amend Complaint, proposed Order and the proposed Amended Complaint; related discussion with J.Wright re: same and meeting with L.Moran.	3.50	700.00
9/23/2005 KQ	Review discovery materials; prepare for and participate in meeting with L.Moran and J.Wright; discuss strategy for going forward and items needed from Larry's clients (i.e. - parent teacher contact books, authorization re: release of student records, etc.); prepare file memo.	2.00	400.00
9/27/2005 KQ	Review/revise letter to L.Moran, including discovery materials and parent authorizations; assemble records to provide to L.Moran; review/revise memo to file re: outline of discovery issues to discuss with Judge Caputo during 9/28/05 discovery conference call; related legal research.	2.00	400.00
9/28/2005 KQ	Conference with J.Wright; prepare for and participate in conference call with Judge Caputo to discuss outstanding discovery disputes; resolve several discovery disputes; prepare memo to file with outline of Court's discovery rulings; travel to L.Moran's office (drop off discovery materials and parent authorization for release of student records); return travel.	2.00	400.00
9/30/2005 KQ	Telephone conference with client re: results of case conference with Judge Caputo; phone conference with M.Williams (Lared's mother) re: need for authorization to get records; prepare status report to clients, with memo from 9/28/05 conference; revise same; letter to J.Fruend re: document inspection at NEIU.	2.00	400.00
10/3/2005 KQ	Work on Brief in Support of Motion for Leave to Amend Complaint; related research; phone conference with client; meet with M.Williams; her husband and son re: obtaining parental consent to obtain son's records; revise authorization; review documents supplied by M.Williams.	2.50	500.00
10/5/2005 KQ	Work on Brief in Support of Motion for Leave to Amend Complaint; related research; review NEIU Defendants' opposition Brief.	2.50	500.00

Jill Celli

Page 13

		<u>Hours</u>	<u>Amount</u>
10/12/2005 KQ	Begin drafting Reply Brief in support of Motion for Leave to Amend Complaint.	1.00	200.00
10/13/2005 KQ	Travel to NEIU; conduct inspection of NEIU Board minutes from 2002 - to present; designate same for copying; return travel; prepare file notes; conference with J.Wright; review Abington Defendants' Brief in Opposition to Motion for Leave to Amend Complaint	2.50	500.00
10/14/2005 KQ	Work on Reply Brief re: Motion for Leave to Amend Complaint; work on file memo re: NEIU document inspection.	1.50	300.00
10/19/2005 KQ	Continued work on Reply Breif re: Motion for Leave to File Amended Complaint; review Dr. Gentilezza's updated report re: Sluko.	1.50	300.00
10/20/2005 KQ	Work on Reply Brief in support of Motion for Leave to file Amended Complaint; finalize same; send report to client; work on letter to NEIU re: parent consent.	2.00	400.00
10/28/2005 JTW	Review report re: Maryellen Sluko's inability to give a deposition.	0.30	75.00
11/4/2005 KQ	Review correspondence and pleadings to prepare for conference call with Court; participate in conference call; review Defendants' offer and Judgment; related research under Fed.R. Ciu.P.68; phone conferences with client (2) re: conference call and Defendatns' offer; begin to proofread bills to correct errors.	2.50	500.00
11/7/2005 KQ	Conference with J.Wright re: results of conference call with court on 11/4 and Defendants' Offer of Judgment and strategy for responding to same; phone conference with client.	0.80	160.00
11/8/2005 KQ	Meet with client to review Offer of Judgment and discuss response thereto; proofread bills; conference with J.Wright; meet with J.Conaboy and C.Abrahassen re: document production issues andparental cooperation with IEP records, etc.	2.00	400.00
11/10/2005 KQ	Work on response to Defendants' Offer of Judgment; proofread bills; draft letter to R. Snyder; phone conference with client; conference with J.Wright.	2.00	400.00
11/14/2005 KQ	Telephone conference/multiple emails with R. Snyder re: Offer of Judgment; related conference with J.Wright and phone conference with client.	1.00	200.00
11/17/2005 KQ	Telephone conference with all defense counsel re: Offer of Judgment and attorneys' fees issue; draft follow-up letter; conference with J.Wright; phone conference with client.	0.80	160.00
11/18/2005 KQ	Communications to/from Defense counsel re: Offer of Judgment; related confernce with J.Wright.	0.70	140.00

Jill Celli

Page 14

		<u>Hours</u>	<u>Amount</u>
11/30/2005 KQ	Review Review J.Fruend's letter; phone conferences (2) with J.Fruend and R. Polachek re: settlement issues; related phone conference with client.	1.00	200.00
	For professional services rendered	322.10	\$60,860.00
	Additional Charges :		
9/1/2004-JTW 9/30/2004	Lexis-		1.64
KQ	Lexis		25.23
9/13/2004 KQ	Filing Fee - U.S. District Court		150.00
10/1/2004-JTW 10/31/2004	Copying cost 485 pages @ .15 a page		72.75
10/1/2004-KQ 12/31/2004	Miscellaneous - PACER fee		3.19
10/1/2004-JTW 10/31/2004	Lexis		4.38
10/14/2004 JTW	Postage		1.75
10/15/2004 JTW	Postage		1.22
11/1/2004-KQ 11/30/2004	Copying cost 77 pages @ .15 per page		11.55
11/4/2004 KQ	Service Fee - One half of fee to serve complaint - Thomas J. Earley Process Server		62.50
12/1/2004-KQ 12/31/2004	Copying cost - 311 pages @ .15 each		46.65
KQ	Lexis		96.48
12/3/2004 KQ	Postage		1.93
12/23/2004 KQ	Postage		1.59
12/29/2004 KQ	Postage		3.87
KQ	Postage		3.31
1/1/2005-KQ 3/31/2005	Miscellaneous - PACER fee		1.04
1/1/2005-KQ 1/31/2005	Lexis		70.49

Jill Celli

Page 15

		<u>Amount</u>
1/1/2005-KQ 1/31/2005	Copying cost - 259 pages @ .15 each	38.85
1/11/2005 KQ	Postage	5.92
KQ	Postage	2.21
1/27/2005 KQ	Postage	2.88
2/1/2005 KQ	Copying cost of 13 pages @ .15 per page	1.95
KQ	Copying cost of 12 copies @ .15 per page	1.80
2/7/2005 KQ	Postage	1.25
3/1/2005-KQ 3/31/2005	Copying cost for 228 copies @ .15 per page	34.20
KQ	Lexis	8.28
3/2/2005 KQ	Postage	0.86
3/3/2005 KQ	Postage	0.93
3/7/2005 KQ	Postage	0.90
3/17/2005 KQ	Postage	7.75
4/1/2005 KQ	Postage	1.48
4/1/2005-KQ 4/30/2005	Copying cost - 1075 pages @ .15 each	161.25
4/4/2005 KQ	Postage	0.37
4/6/2005 KQ	Postage	7.13
4/8/2005 KQ	Postage	0.37
4/18/2005 KQ	Medical Records - Community Medical Care - Dr. Jaditz	15.00
4/27/2005 KQ	Postage	4.83
4/29/2005 KQ	Witness Fee	57.50
5/1/2005-KQ 5/31/2005	Copying cost 1518 pages @ .15 each	227.70
5/3/2005 KQ	Service Fee (Shriber and Smith)	75.00
5/16/2005 KQ	Postage	1.69

Jill Celli

Page 16

		<u>Amount</u>
5/18/2005 KQ	Postage	1.15
5/20/2005 KQ	Postage	2.44
5/25/2005 KQ	Postage	0.90
6/1/2005-KQ 6/30/2005	Copying cost 817 pages @ .15 each	122.55
6/13/2005 KQ	Postage	2.49
6/17/2005 KQ	Postage	2.07
6/30/2005 KQ	Postage	1.11
7/1/2005 KQ	Postage	0.37
KQ	Postage	5.30
7/1/2005-KQ 7/31/2005	Copying cost 728 pages @ .15 each.	109.20
KQ	Lexis	31.89
7/14/2005 KQ	Postage	1.11
7/18/2005 KQ	Postage	0.37
7/19/2005 KQ	Deposition Costs for Jill Celli on 7/12/05 201 pages - Gallagher Reporting Inv. #2487A	615.25
7/25/2005 KQ	Postage	4.75
8/1/2005-KQ 8/31/2005	Copying cost - 797 pages @ .15 each.	119.55
8/3/2005 KQ	Postage	7.70
8/9/2005 KQ	Postage	0.74
8/11/2005 KQ	Deposition Costs for Keystone Court Reports Inv. #30200 for \$950.10 for witnesses: F.Rosetti, C.Lamanna, M.Homish, J. O'Hora.	475.05
8/16/2005 KQ	Postage	0.74
8/18/2005 KQ	Postage	0.74
KQ	Postage	0.83
8/29/2005 KQ	Postage	2.17

Jill Celli

Page 17

		<u>Amount</u>
9/1/2005-KQ 9/30/2005	Copying cost - 769 pages @ .15 each	115.35
9/8/2005 KQ	Postage	0.37
JTW	Postage	1.11
9/14/2005 KQ	Postage	2.49
9/15/2005 KQ	FedEx	17.09
KQ	Postage	1.66
9/16/2005 KQ	Postage	1.11
9/30/2005 KQ	Postage	2.90
10/1/2005-KQ 10/31/2005	Copying cost - 174 pages @ .15 each	26.10
10/5/2005 KQ	Postage	2.91
10/20/2005 KQ	Service Fee - Tri-State Process Services - subpoena to Jeffrey Tucker.	100.00
KQ	Postage	3.04
11/1/2005-KQ 11/30/2005	Copying cost - 44 pages @ .15 each	6.60
11/18/2005 KQ	Postage	0.74
Total costs		<u>\$3,009.61</u>
Total amount of this bill		<u>\$63,869.61</u>
Balance due		<u><u>\$63,869.61</u></u>

For Professional Services Rendered Through November 30, 2005.

Attorney Rates:

Kevin C. Quinn -	234.6 hours @ \$200.00 = \$46,920.00
Frank J. Tunis -	75.1 hours @ \$150.00 = \$11,265.00
Joseph T. Wright -	10.7 hours @ \$250.00 = \$2,675.00

EXHIBIT 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JILL CELLI,

Plaintiff,

v.

NORTHEASTERN EDUCATIONAL
INTERMEDIATE UNIT 19,
FRED R. ROSETTI, Ed.D.,
CLARENCE LEMANNA, Ed.D.,
SUSAN WZOREK, JAMES O'HORA,
KATHLEEN RACHOWSKI,
THE SCHOOL DISTRICT OF
ABINGTON HEIGHTS, DAVID
ARNOLD, Ed.D., MARIELLEN
SLUKO, MARY ALICE BARTZ
and BARBARA URNOSKIE,

Defendants.

No. 3:04-CV-02262

JURY TRIAL DEMANDED

(Judge Caputo)

(ELECTRONICALLY FILED)

DECLARATION OF JOSEPH G. FERGUSON, ESQUIRE

I Joseph G. Ferguson, hereby declare under penalty of perjury as follows:

1. I am an attorney licensed to practice law in the Commonwealth of Pennsylvania as well as in the United States District Court for the Middle District of Pennsylvania. I am a partner in the law firm of Rosenn, Jenkins & Greenwald, LLP ("RJG") and have been associated with RJG since 1990. I am also a member of numerous Bar Association committees and the former President of the Middle District of Pennsylvania Chapter of the Federal Bar Association.

2. I received my Juris Doctorate degree from Dickinson School of Law in 1988. For the first two (2) years of my professional career, I was employed as a law clerk for the Honorable William J. Nealon, Senior Judge with the United States District Court for the Middle District of Pennsylvania.

3. Since 1990, I have been affiliated with RJG and have maintained an active litigation and appellate practice and have extensive experience in state and federal litigation, including commercial, civil rights, labor and employment-related litigation.

4. I am involved with the establishment of my firm's normal hourly rates for business, commercial and employment-related litigation and I am also generally familiar with the hourly rates for such matters charged by lawyers and law firms in Northeastern Pennsylvania.

5. In connection with Plaintiff's pending Motion for Counsel Fees and Litigation Costs, I have reviewed the billing rates charged by Plaintiff's counsel, Joseph T. Wright, Jr., Esq. (\$250/hr), Kevin C. Quinn, Esq. (\$200/hr) and Frank J. Tunis, Esq. (\$150/hr). These hourly rates are both reasonable and consistent with market rates for litigation of this type in Northeastern Pennsylvania.

6. I can also attest to the fact that Plaintiff's attorneys are competent and skilled attorneys who can and have handled complex civil rights, § 1983 and other civil litigations. I believe that the favorable results they have achieved for Plaintiff in the above matter is an example of their abilities.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 9, 2005

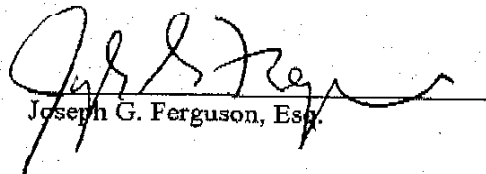

Joseph G. Ferguson, Esq.

EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JILL CELLI,

Plaintiff,

v.

NORTHEASTERN EDUCATIONAL :
INTERMEDIATE UNIT 19. :
FRED R. ROSETTI, Ed.D., :
CLARENCE LEMANNA, Ed.D., :
SUSAN WZOREK, JAMES O'HORA, :
KATHLEEN RACHOWSKI, :
THE SCHOOL DISTRICT OF :
ABINGTON HEIGHTS, DAVID :
ARNOLD, Ed.D., MARIELLEN :
SLUKO, MARY ALICE BARTZ :
and BARBARA URNOSKIE, :

Defendants.

No. 3:04-CV-02262

JURY TRIAL DEMANDED

(Judge Caputo)

(ELECTRONICALLY FILED)

DECLARATION OF JOSEPH P. LENAHAN, ESQUIRE

I, Joseph P. Lenahan, Esq., hereby declare under penalty of perjury as follows:

1. I am an attorney licensed to practice law in the Commonwealth of Pennsylvania as well as in the United States District Court for the Middle District of Pennsylvania. I am a principal in the law firm of Lenahan & Dempsey, P.C.

2. I obtained my juris doctorate degree from the University of St. Louis School of Law in 1977. Since 1980, I have been engaged in the private practice of law and, since that time, have maintained an active litigation and appellate practice. I have extensive experience in state and federal litigation, including, inter alia, personal injury, commercial, civil rights and employment-related litigation.

3. I am affiliated with numerous local, state and national professional associations and have been certified by the National Board of Trial Advocacy as a Civil Trial Advocacy Specialist since 1984.

4. I am involved with the establishment of my firm's normal hourly rates for business, commercial and employment-related litigation and I am also generally familiar with the hourly rates for such matters charged by lawyers and law firms in Northeastern Pennsylvania.

5. In connection with Plaintiff's pending Motion for Counsel Fees and Litigation Costs, I have reviewed the billing rates charged by Plaintiff's counsel, Joseph T. Wright, Jr., Esq. (\$250/hr), Kevin C. Quinn, Esq. (\$200/hr) and Frank J. Tunis, Esq. (\$150/hr). These hourly rates are both reasonable and consistent with market rates for litigation of this type in Northeastern Pennsylvania.

6. I can also attest to the fact that Plaintiff's attorneys are competent and skilled attorneys who can and have handled complex civil rights, § 1983 and other civil litigations. I believe that the favorable results they have achieved for Plaintiff in the above matter is an example of their abilities.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 9, 2005


Joseph P. Lenahan, Esq.